



**STATE OF MISSOURI  
Department of Corrections  
Board of Probation and Parole**

---

**PROCEDURES GOVERNING THE GRANTING OF PAROLES AND CONDITIONAL  
RELEASES**

This booklet has been revised. The previous booklet of a similar nature issued *August 2005* is obsolete.

**April 2009**

## INDEX

Topic	Page Number
Appeal of Board Action	9
Appendices	14
Board Decisions	7
Conditional Release	12
Conditional Release Extension	12
Confidentiality	6
Consecutive Sentences	13
Escape	13
Exceptions to Hearing Schedule	5
Good Time Credit Release	11
Hearing Procedures	5
Institutional Adjustment	10
Medical Parole	11
Mental Competency	11
Minimum Parole Eligibility	10
Offender Representative	6
Offenders Confined Outside the Missouri Department of Corrections	7
Parole Authority	4
Parole Board	4
Parole Guidelines	6
Parole Hearing Location	5
Parole Hearing Schedule	5
Parole Restrictions	10
Pre-Release Review	9
Purpose of Parole Hearings	4
Reconsideration Hearing	9
Release to Detainers	11
Special Sentencing Cases	7
Statement of Reasons for Decision	8
Supervision Release Plan	13
Term of Supervision	14
Victim/Judge/Prosecuting Attorney/Law Enforcement	6

## **GLOSSARY**

### **Above the Guidelines**

Release decisions beyond the time range set out in the guidelines.

### **Administrative Parole**

Release on time credit date as recommended by the institution head. A time credit release date is the conditional release date less the time credit granted.

### **Below the Guidelines**

Release decisions earlier than the time range set out in the guidelines.

### **Community Corrections Programs**

Programs that may be stipulated by the Parole Board to assist released offenders in their successful reintegration into the community, e.g., electronic monitoring program, residential facilities and community release centers.

### **Community Placement Assessment Report**

A report submitted to the Board documenting an offender's case or status for the purpose of establishing conditions and/or a release date.

### **Conditional Release**

Statutorily mandated release (not discretionary parole), with required period of supervision.

### **Conviction**

Any misdemeanor or felony conviction that has a sentence of thirty (30) days or more and any SES probation.

### **Enhanced Sentencing**

An extended term of imprisonment if Court finds an offender to be a persistent or dangerous offender.

### **Hearing**

An appearance before a hearing panel made up of a Parole Board member and Parole Board staff.

### **Minimum Prison Term**

Time required by statute to be served by the offender before eligibility for parole, conditional release or other early release from the Department of Corrections.

### **Outside the Guidelines**

Parole Board decisions either below or above the time ranges as described in the guidelines.

### **Pre-Release Review**

A review of the case by the Board prior to the release date.

### **Presumptive Release Date**

The release date set by the Board.

### **Prior Incarceration Time**

Confinement time in any jail and/or prison that has a sentence of thirty (30) days or more.

### **Prison Commitment**

The receipt by the Department of Corrections of a defendant after sentencing.

### **Remand**

A new prison commitment after an initial commitment to the Department of Corrections.

### **Salient Factors**

Factors that have been determined by research to be predictive of an individual's success or failure on parole.

### **Transition Accountability Plan**

A document that identifies an offender's personal assets and liabilities, establishes meaningful goals and includes action plans to successfully meet the goals.

The Missouri Board of Probation and Parole has the statutory duty to determine whether a person confined in prison will be paroled or conditionally released. The Board sets the conditions for community supervision of all persons paroled or conditionally released. The Board supervises offenders on probation under the conditions set by the Courts. See Section 217.650 RSMo et seq.

This booklet provides general information regarding the parole and conditional release laws of the State of Missouri and the related practices and processes of the Board.

**1. Parole Board**

The Board is composed of seven (7) full-time members, with one designated by the Governor as Chair of the Board. The Board has the authority under law to consider for release offenders committed to the Missouri Department of Corrections who are eligible for parole based on their sentence. The Board has also assigned parole officers to all of the institutions to assist offenders and their families in parole matters. All correspondence from offenders sent directly to the Board will be forwarded to the parole officer for evaluation and response.

**2. Parole Authority**

Missouri law governing parole hearings and the granting of parole is contained in section 217.690 RSMo.

**3. Purpose of Parole Hearings**

A. Allow offenders the opportunity to:

- 1) Present to the hearing panel their version of the present offense and any prior criminal history;
- 2) Discuss problems and needs;
- 3) Present any progress made or plans for rehabilitation;
- 4) Present reasons why they should be paroled;
- 5) Present plans for the future;
- 6) Present and discuss matters that are appropriate for consideration, including challenging information that they perceive to be false.

B. Provide the hearing panel the opportunity to:

- 1) Review all available reports and case history material pertinent to the case. These may include social history; medical, psychological and psychiatric reports; circumstances of any prior criminal history including arrests, convictions and incarcerations; past and present patterns of behavior and confidential information.
- 2) Review reports regarding the offender's institutional adjustment and civility including participation in work, school and treatment programs, restorative justice activities, other cognitive restructuring programs and conduct violation history.
- 3) Evaluate the offender individually in regard to suitability for community reentry, appropriate supervision strategies and special conditions.

C. Provide the victim, judge, prosecutor or local law enforcement agency the opportunity to present information and testimony to the hearing panel in regard to parole consideration with or without the offender being present.

- D. Provide the offender's representative the opportunity to present information and testimony to the hearing panel in regard to parole consideration.

#### 4. **Parole Hearing Location**

Parole hearings are usually held where the offender is housed. If an alternative location is necessary, interested parties will be notified in advance of the hearing.

#### 5. **Parole Hearing Schedule**

Within 90 days of reception, the Board will determine an offender's parole eligibility. For eligible offenders the parole hearing shall be conducted according to the schedule established by the Parole Board (Appendix A).

Offenders with less than a 2-year sentence will not have a hearing scheduled. A report will be submitted to the Board to establish a release date and special conditions

If offenders are temporarily unavailable for their scheduled hearing due to a court appearance or other authorized absence, the hearing will be continued until their return to the Missouri Department of Corrections.

#### 6. **Exceptions to Hearing Schedule**

- A. **Waiver of Hearing.** To be eligible to waive a hearing, the offender must be serving a first felony incarceration for a non-violent C or D felony with a sentence structure of 5 years or less (except sex offenders, DWI's, or CR/parole violators). The Waiver of Personal Appearance for Parole Hearing shall be signed by the offender and witnessed by the Institutional Parole Officer. The Board reserves the right to conduct a hearing on any case regardless of a waiver request. If the decision rendered is not to grant a date within the guideline range, a hearing will be held.
- B. **Consecutive Sentences.** Offenders who have consecutive sentences will be given a hearing based on the hearing schedule for each sentence. The months for each sentence will then be added together to set the hearing date. For consecutive sentences of 1 (one) year, one (1) month will be used in this calculation. The initial parole hearing will not exceed 156 months unless statutes require specific incarceration terms on any or all of the consecutive sentences.
- C. **Statutory Parole Restrictions.** Offenders convicted of crimes with statutory parole restrictions will be scheduled for a parole hearing two (2) years prior to the minimum prison term, or according to the regular hearing schedule, whichever occurs later. Offenders not eligible for parole will receive notice of their statutory release date.

#### 7. **Hearing Procedures**

- A. **Written Notice.** The offender will receive written notice from the Board of their parole eligibility hearing shortly after admission to the Missouri Department of Corrections. Offenders will receive a second notice of the exact hearing date approximately 45 days in advance of their appearance before the Board.
- B. **Institutional Parole Officer.** Prior to the scheduled parole hearing, the offender will meet with the Institutional Parole Officer, who will submit a report to the Board. The officer is responsible for preparing various other reports during an offender's period of incarceration. The offender should contact the Institutional Parole Officer regarding parole matters.
- C. **Continuance.** An offender who has a scheduled parole hearing may request that the parole hearing be rescheduled to a later date. The Board will not accept a request for a continuance of less than three (3) months or more than five (5) years. The Board may refuse to grant the offender's request for a continuance.

- D. **Closing.** An offender with a mandatory release date within 5 years may request his case be closed to further parole consideration. If at a later date, an offender changes his intentions, he can request in writing to the parole staff the case be reopened. The Board may refuse to grant the request for closure.
- E. **Hearing Panel.** The hearing panel shall consist of one member of the Parole Board and two (2) hearing officers appointed by the Board. 217.670 RSMo
- F. **Recording.** The parole hearing will be recorded.
- G. **Refusal to Participate.** An offender may refuse to participate in the pre-hearing interview with the Institutional Parole Officer, as well as the parole hearing. A decision will be rendered based upon available file material.

## 8. **Confidentiality**

Parole hearings shall not be open to the general public. 217.670 RSMo Probation and parole records are confidential and considered closed records. 549.500 RSMo

## 9. **Offender Representative**

Although not necessary, offenders may have a person of their choice at the hearing. The offender's representative may offer a statement on behalf of the offender, ask questions and provide additional information that may be requested by the hearing panel. They may also elect to write or telephone the Board or meet with a Board Member at Central Office. It is recommended that an appointment be made in advance. **Other incarcerated offenders may not be present at the hearing.**

## 10. **Victim/Judge/Prosecuting Attorney/Law Enforcement**

- A. **Victim Services Unit.** In accordance with RSMo 595.209, the Department of Corrections Victim Services Unit shall notify victims of identified offenses, or at the request of the victim or their representative, of any other offense of the present sentence structure, or their representative, of their right to be present at a parole hearing.
- B. **Notice.** The Parole Board shall provide notice of a parole hearing to the judge/prosecuting attorney/law enforcement upon their written request.
- C. **Attendance.** The victim and/or person representing the victim and the judge/prosecuting attorney/law enforcement or their representative may attend the hearing and present information to the hearing panel, with or without the offender being present. They may also elect to write or telephone the Board or meet with a Board Member in Central Office. It is recommended that an appointment be made in advance.

## 11. **Parole Guidelines**

To establish a uniform parole policy, promote consistent exercise of discretion and equitable decision-making, without removing individual case consideration, the Board has adopted guidelines for parole release consideration, using a salient factor scale and time to be served matrices (see Appendices B-Q).

These guidelines indicate the customary range of time to be served before release for various combinations of offender characteristics and sentence length. **Mitigating or aggravating circumstances may warrant decisions outside the guidelines.** The Board reserves the right to consider total offense behavior as an aggravating factor in decisions reached above the guidelines. The offender may impact the dynamic variables of the salient factor scale through institutional adjustment, program achievement and treatment completion. If a decision above the guidelines is reached, the reasons shall be stated in the notice to the offender. The guidelines are only a tool to assist the Board in meeting the goals previously stated. Nothing in guideline policy can be read to mandate release.

- A. **Scoring.** The Institutional Parole Officer is responsible for ensuring the salient factor score is accurately calculated and reviewed with the offender. The salient factor matrix is used to establish guidelines for time to be served. Parole guidelines may apply to new concurrent sentences received while on parole or conditional release.
- B. **Multiple Offenses.** If an offense can be classified under more than one class, or multiple separate offenses are involved, the most serious applicable class shall be used. Multiple separate offenses may be considered an aggravating factor in decisions reached above the guidelines.
- C. **Exceptions.** The Board shall consider offenders with certain sentence structures on a case-by-case basis. Guidelines may not apply to offenders under the following circumstances:
  - 1) Sentences totaling more than thirty (30) years or under two (2) years.
  - 2) Sentences received for crimes that occurred on inmate status.
  - 3) Any new consecutive sentence received as the result of a parole violation.
  - 4) Returned as a technical parole violator.

## 12. **Special Sentencing Cases**

Offenders may be sentenced by the Court or referred by the Department of Corrections to specific treatment or shock incarceration programs. Offenders designated to participate in treatment are not routinely scheduled for a personal hearing. Upon completion of the program a report outlining the offender's eligibility for release will be prepared and forwarded to the Court and/or Board for a decision.

When probation is denied by the Court for offenders who have been referred to treatment or shock incarceration programming, a parole hearing date will be set according to the hearing schedule or as soon thereafter as possible.

## 13. **Offenders Confined Outside the Missouri Department of Corrections**

An offender who is serving a concurrent Missouri sentence while confined in another state or federal correctional center is under the same rules governing the granting of parole and conditional release as an offender who is serving his/her sentence in a Missouri institution, except that a personal hearing before the board shall not be required. The board will consider these cases in absentia.

Upon receipt of a report from the appropriate authorities in the other state or jurisdiction the Missouri Board will review the case without the offender present.

## 14. **Board Decisions**

- A. **Notice.** After the hearing, the Parole Board will reach a decision as soon as possible. The offender will receive a written notice of the Board's action as soon as the notice can be prepared and delivered. It is the offender's responsibility to communicate the decision to family and friends. Information may only be provided to family or friends **after** the decision has been received by the offender.
- B. **Additional Information.** Following the hearing, the Board may request additional reports before making a final decision. These may include field and institutional investigations, psychological and psychiatric evaluations. The Board may request the offender's authorization to obtain any medical, psychological and/or psychiatric evaluations that may have been made in the past.
- C. **Decision.** The Board may:
  - 1. Set a presumptive parole date.

2. Deny parole and set a conditional release date or maximum release date as authorized by statute,
3. Deny parole and schedule a future hearing date.

Offenders with a minimum prison term are not eligible for release to the community prior to completion of the minimum prison term.

The setting of a presumptive release date does not automatically entitle the offender to be released on that date. Release shall be dependent upon a finding by the Board that the offender has a continued record of good conduct, has satisfied the requirements of any mandated programs, and has an acceptable release plan. Changes in sentence time may result in a change in release date.

If evidence comes to the attention of the Board that an offender has concealed or misrepresented information deemed significant, or if information which has not previously been considered comes to the attention of the Board, the case may be reviewed to determine whether such release should be rescinded.

- D. **Special Conditions.** The Board may order any special condition believed to increase public safety and ensure offender success.
- C. **Release Strategies.** The Board may order release to a community corrections program or other release strategy

**15. Statement of Reasons for Decision**

The reasons for decisions above the guidelines, for extension of the presumptive release date, denial of good time credit release and for offenders for whom a presumptive release date has not been set may include, but are not limited to, the following reasons, with further specification of Board policy where appropriate:

- A. Release at this time would depreciate the seriousness of the offense committed or promote disrespect for the law.
  - 1) Circumstances surrounding the offense(s).
  - 2) Relatively high degree of sophistication shown in crime.
  - 3) Weapons or excessive force/violence involved.
  - 4) Community opposition.
  - 5) Multiple or consecutive sentences.
  - 6) Other.
- B. There does not appear to be a reasonable probability at this time that the offender would live and remain at liberty without violating the law.
  - 1) History of criminal involvement.
  - 2) Poor field supervision history.
  - 3) Abuse of drugs or alcohol.
  - 4) Need for institutional substance abuse or MOSOP program completion.
  - 5) Refusal or Failure to complete Court-ordered or Board-stipulated institutional program.
  - 6) Dangerous or persistent offender.



- 7) Short interval between offenses.
- 8) Poor institutional adjustment
- 9) Lack of good faith effort towards General Equivalency Diploma (GED)
- 10) Other.

**16. Appeal of Board Action**

In accordance with statute an offender may only appeal a hearing panel decision to deny parole or revoke parole or conditional release (217.670 RSMo). No other Board actions are subject to appeal. The Notice of Board Action will reflect whether the decision is subject to appeal. It is expected that the offender will consult with the Institutional Parole Officer on all areas of concern regardless of whether or not they are appealable. Most questions can be satisfactorily resolved at this level.

Any appeal to the Board must be in writing on forms provided by the Institutional Parole Officer. It must be filed within thirty (30) days after the decision has been received. An offender is presumed to have received the decision within ten (10) days of the date of the notice of the decision to the offender. The appeal shall be considered by the Board within thirty (30) days of receipt of the appeal or as soon thereafter as possible and the offender will be advised of the Board's decision as soon as the notice can be prepared and delivered. If the appeal is not filed within thirty (30) days after the offender receives the original decision, this decision shall stand as final.

**17. Reconsideration Hearing**

The purpose of a reconsideration hearing shall be to consider the offender's case and any significant developments or changes in the offender's status that may have occurred subsequent to the previous hearing.

Reconsideration hearings shall be conducted every one (1) to five (5) years until a presumptive release date has been established.

**18. Pre-Release Review**

The purpose of a pre-release review is to consider any additional information that may be made available to the Board.

Following review, the Board may:

- A. Approve the release date.
- B. Adjust the release date based on program participation.
- C. Modify special conditions or release strategies.
- D. When the Board believes it is not appropriate for the offender to be released on the presumptive release date, it may:
  - 1) Cancel the release date and reschedule for release.
  - 2) Cancel the release date and schedule for a reconsideration hearing.

**19. Minimum Parole Eligibility**

Minimum parole eligibility is the earliest point at which an offender is eligible for parole release consideration. Minimum eligibility requirements may be established by Board policy in the absence of statutory minimums. Minimum parole eligibility in no way requires a parole release. It is simply the point at which an offender first becomes eligible for parole release.

In making release decisions, the Board considers many factors including, but not limited to, offense behavior, victim impact, criminal history, social history, institutional adjustment, including program participation; release plans and community attitude.

- A. Offenders convicted of **Drug C & D, Non-Violent C & D and DWI C & D offenses** (Appendices D, E, H, I, L) may not be eligible for parole until fifteen percent (15%) of the maximum sentence has been served, except where statute would require more time to be served.
- B. Offenders convicted of **Sexual or Child Abuse and Violent offenses, (all classes of offenses)** (Appendices N, O, P, Q) may not be eligible for parole until thirty-three (33%) of the maximum sentence has been served; except where statute would require more time to be served.
- C. Offenders convicted of **Drug A & B, Non-Violent A & B and DWI B offenses** (Appendices F, G, J, K, M) may not be eligible for parole until twenty-five percent (25%) of the maximum sentence has been served, except where statute requires more time to be served.
- D. Offenders serving **life or multiple life sentences** and for particular term consecutive sentences of **forty-five (45) years or more** may not be eligible for parole until a minimum of fifteen (15) years has been served, except where statute requires more time to be served.
- E. For offenders serving **multiple life sentences or other sentences concurrent or consecutive to a life sentence** the Board may, due to the nature and length of the sentence, determine not to set a minimum eligibility date.

## **20. Parole Restrictions**

- A. Missouri statutes restrict or prohibit parole eligibility for certain criminal offenses and repeat offenders. A minimum prison term requirement must be satisfied during service of the sentence to which it applies. Offenders not eligible for parole will be released on their statutory release date. The Parole Board will make a determination regarding parole eligibility and provide written notification to the offender.
- B. Effective January 1, 2001, the Board shall not order a parole unless the offender has obtained a high school diploma or its equivalent, or unless the offender has made an honest, good-faith effort to obtain a high school diploma or its equivalent. 217.690 RSMo
- C. Prior to release on parole, the Board requires offenders imprisoned for sex offenses to participate in and complete the prescribed treatment program developed by the Department of Corrections pursuant to 589.040 RSMo. (8-13-80)

## **21. Institutional Adjustment**

While incarcerated offenders will be expected to identify their assets and liabilities and develop a Transition Accountability Plan to build strengths and address problems. During parole consideration the Board will review the offender's progress in meeting goals established in this plan.

Offenders who receive conduct violations may have their presumptive release date cancelled. The Board takes into consideration the frequency and seriousness of the conduct violations.

## **22. Mental Competency**

When provided reasonable doubt as to the mental competency of an offender the Board may defer or deny parole until a professional evaluation indicates the offender no longer represents a danger to others.

**23. Good Time Credit Release**

Pursuant to section 558.041 RSMo, offenders incarcerated under provisions of the New Criminal Code (crimes committed on or after January 1, 1979) may be eligible for good time credit. The Board will review these offenders for release upon receipt of a recommendation from the institution head.

**24. Medical Parole**

- A. **Eligibility.** Consideration for medical parole is possible when:
- 1) an offender is afflicted with a disease that is terminal (death anticipated within six (6) months) or;
  - 2) an offender is in need of long-term nursing care or;
  - 3) confinement will necessarily greatly endanger or shorten the offender's life. 217.250 RSMo.
- B. **Non-parolable / Parole Restricted Offenses.** The Board will not consider medical parole for:
- 1) offenders serving a sentence of death
  - 2) offenders serving a sentence for a crime that is not parolable
  - 3) offenders serving a sentence that has a minimum prison term that has not been satisfied.
- C. **Process.** All requests for medical parole will be forwarded to the institution's Primary Care Physician. The Primary Care Physician will submit a recommendation to the Parole Board when the offender meets the medical parole criteria. The Board will then review the case without a personal hearing, make a decision, and forward the decision in writing to the offender.
- D. **Supervision.** The offender will, as far as possible and practicable, be required to comply with all conditions of parole as set forth on the parole release document. An offender who has been granted a medical parole will be under the same kind and degree of field supervision as any other paroled offender unless the Board modifies supervision. All parolees are financially responsible for their medical and other needs.
- E. An offender may be granted a medical parole for the specific purpose of special care or treatment. Upon recovery, or at any time, the offender may be subject to return to the Missouri Department of Corrections or any other disposition as the Board of Probation and Parole may deem appropriate.

**25. Release to Detainers**

The Parole Board may consider release to a detainer in any jurisdiction inside or outside the State of Missouri. Every effort should be made by the offender to satisfy any untried detainer or have it withdrawn. Official notice of any action taken on such detainers must be forwarded to the Division of Adult Institutions.

The Board will consider the granting of a dual or concurrent supervision with another paroling authority.

**26. Conditional Release**

- A. **Definition.** *Conditional release means the conditional discharge of an offender by the board of probation and parole, subject to conditions of release that the board deems*

*reasonable to assist the offender to lead a law abiding life, and subject to the supervision under the state board of probation and parole. The conditions of release shall include avoidance by the offender of any other crime, federal or state, and other conditions that the board deems reasonably necessary to assist the releasee in avoiding further violation of the law. 558.011 RSMo.*

- B. **Conditional Release Term.** Conditional release terms are effective for crimes committed on or after January 1, 1979. Unless restricted by statute the conditional release term will be:
- 1) The last one-third of the sentence for those nine (9) years or less.
  - 2) The last three (3) years of sentences of nine (9) to fifteen (15) years.
  - 3) The last five (5) years of sentences more than fifteen (15) years. 558.011 RSMo.
- C. **Consecutive Sentences.** Upon completion of the prison term of the first sentence, the conditional release term shall be deferred until the offender completes the prison term of the consecutive sentence(s). The conditional release terms added together shall constitute the time to be served on conditional release.

## 27. **Conditional Release Extension**

The date of conditional release from the prison term may be extended up to a maximum of the entire sentence of imprisonment by the Board of Probation and Parole. 558.011 RSMo.

- A. **Process.** The Director of any division of the Department of Corrections except the Board of Probation and Parole may file with the Board a petition to extend the conditional release date when an offender fails to follow the rules and regulations of the division or commits an act in violation of such rules. An extension petition may also be filed if an offender fails to successfully complete the Missouri Sexual Offender Program (MOSOP).
- B. **Scheduling of the Hearing.** Within ten working days of receipt of the petition to extend the conditional release date, the Board of Probation and Parole shall convene a hearing. If the violation occurs in the close proximity to the individual's conditional release date, the conditional release may be held for a maximum of fifteen (15) working days to permit necessary time for the process outlined in this rule to be carried out, provided some affirmative manifestation of an intent to extend the conditional release has occurred prior to the conditional release date.
- C. **Witness.** Offenders may call witnesses and cross-examine witnesses appearing against them. The witnesses must have relevant information concerning the violations and they are not to be character witnesses. If the conduct violation is prosecuted in a Court of law, conditional release extension may still occur on the present sentence.
- D. **Decision.** The Board will reach a decision and the offender will receive a notice of the Board's action as soon as the notice can be prepared and delivered. The date of the conditional release may be extended by the Board up to the maximum of the entire sentence. The decision of the Board shall be final. If at the end of a fifteen (15) working day period a Board decision has not been reached, the offender shall be released conditionally.
- E. **Reconsideration.** The offender may petition the parole board after one year of verified clear conduct or upon satisfactory completion of the MoSOP program for restoration of the conditional release date. The Board shall, without a personal hearing, review the case and forward the decision to the offender in writing.
- F. **Consecutive/Deferred Sentences.** A deferred conditional release term on a sex offense may also be extended for failure to complete the Missouri Sexual Offender Program (MOSOP).

## 28. **Consecutive Sentences**

Any parole granted by the Board will apply to the sentence the offender is currently serving and consecutive paroles will be granted to apply to the consecutive sentence(s).

- A. **Conditional Release.** Offenders convicted of crimes, which occurred on or after January 1, 1979, come under the provisions of the New Criminal Code. Under the code the sentence consists of a prison term and a conditional release term. If the offender is not released on the first sentence, upon completion of the prison term for that sentence the conditional release term for the same is deferred until released. If the offender is paroled during the prison term of a consecutive sentence the deferred conditional release term(s) shall first be served under release supervision. The sentence(s) for which parole was granted shall be served under supervision consecutive to the conditional release term(s).
- B. **Statutory Minimum Requirements.** Offenders serving consecutive sentences with statutory minimum requirements, other than Armed Criminal Action or Pharmacy Robbery First or Second Degree, are not eligible for release until after they have served the mandatory portion of the specific sentence to which the minimum requirement applies.
- C. **Non-Parolable Offenses** Offenders who receive sentences consecutive to a parolable life sentence when the consecutive sentences are for crimes occurring on or after August 28, 1994, may not be eligible for parole. Parole eligibility will be determined on a case by case basis.

## 29. **Escape**

If an offender escapes, the time served on the sentence stops at the time of escape and does not begin again until return to the Missouri Department of Corrections. (RSMo 558.031) The Institutional Records Officer will adjust the sentence structure to reflect time on escape status.

- A. **Escape Prior to Parole Hearing.** If an offender escapes prior to a scheduled parole hearing, upon return the hearing date will be adjusted to reflect time not credited while an escapee.
- B. **Escape After Parole Hearing.** If an offender **has had** a parole hearing and escapes after the hearing, the Board shall cancel their previous decision. The Board shall then schedule a parole hearing at any time within one (1) year from the month of return to the Missouri Department of Corrections or set a new release date.

## 30. **Supervision Release Plan**

The Board's Institutional Parole Officer is available to offer assistance in helping the offender develop home and employment plans. The offender should talk with the Institutional Parole Officer to develop a satisfactory release plan. The offender will not be released until the plan has been investigated and approved by the Missouri Board of Probation and Parole.

## 31. **Term of Supervision**

Any offender released on parole or conditional release from the Missouri Department of Corrections prior to completion of the maximum sentence will be subject to supervision. A detailed listing and explanation of the parole conditions are available in another booklet entitled "Rules and Regulations Governing the Conditions of Probation, Parole and Conditional Release". A copy of this booklet may be obtained from the Institutional Parole Officer, any Probation and Parole Officer of the Board's field staff, the Central Office of the Missouri Board of Probation and Parole, or from the DOC web site. A copy of this booklet will be given to each offender prior to release from the institution.

Time served under supervision counts as time served on the sentence.

## A. Exceptions

- 1). Offenders who abscond from parole supervision may not be given credit for time served while an absconder. 217.720 RSMo.
- 2). Offenders who violate parole and receive a new sentence to a correctional institution outside the Missouri Department of Corrections may not receive credit on their sentence for the time served under the new conviction. 217.720 RSMo.

B. **Revocations.** Offenders whose parole or conditional release has been revoked no longer have a conditional release date. They may be considered for re-parole. For a detailed explanation of the revocation process and the applicable statutes involved, see "Rules and Regulations Governing Parole and Conditional Release Violators and Related Procedures".

C. **Discharges.** An offender whose sentence expiration date will be three and one half years or more after release, may be considered for discharge at the end of three (3) years under supervision. An offender who is serving a sentence for a dangerous felony or sex offense will not be considered for final discharge until having served five (5) years under supervision except where the sentence expires earlier.

Discharge from supervision is **not automatic**. The Board will review the offender's file, including community adjustment and all other factors.

## 32. Appendices

The following Appendices are published separately and are available from parole staff, DOC libraries, and from the DOC web site.

A	Parole Hearing Schedule
B	The Salient Factor Scale
C	Offense Classifications
D	Drug C and D Felony Offenses: Males
E	Drug C and D Felony Offenses: Females
F	Drug A and B Felony Offenses: Males
G	Drug A and B Felony Offenses: Females
H	Non-Violent C and D Felony Offenses: Males
I	Non-Violent C and D Felony Offenses: Females
J	Non-Violent A and B Felony Offenses: Males
K	Non-Violent A and B Felony Offenses: Females
L	DWI C and D Felony Offenses
M	DWI B Felony Offenses
N	Sex and Child Abuse C and D Felony Offenses
O	Sex and Child Abuse A and B Felony Offenses
P	Violent C and D Felony Offenses
Q	Violent A and B Felony Offenses

*The information in this booklet provides the answers to questions frequently asked by offenders and others interested in the release policies of the Missouri Board of Probation and Parole. In the final analysis each person is considered individually and the release decision is tailored to each person.*

*Further information concerning any parole or conditional release matter may be obtained from the offender's assigned Parole Officer. Correspondence regarding offenders is routinely referred to the appropriate institution for response.*

*The information and policies contained herein have been officially adopted by the Missouri Board of Probation and Parole.*